



Attorney Docket No. 087896-0101

#6  
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B. Hilliard

**IN THE UNITED STATES PATENT & TRADEMARK OFFICE**

In re patent application of:

**WILKINS, David**

Serial No.: 09/387,502

Group Art Unit: 2173

Filed: September 1, 1999

Examiner: Bautista, X.L.

For: Method and Apparatus for Controlling a Graphics Engine

Commissioner of Patents  
Washington, D.C. 20231

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**SEP 03 2002**

**RESPONSE**

Technology Center 2100

Sir:

The following is in response to the Office Communication dated February 25, 2002.

The Examiner rejected claims 1-25 under 35 U.S.C. 102(e) as being anticipated by US Patent No. 6,081,262 issued to Gill et al. ("Gill"). In order for a reference to anticipate an invention, it must strictly and explicitly contain all the essential elements of such invention. Applicant has reviewed this reference and believes that it neither teaches or suggests the invention defined in claims 1-25. Consequently, Examiner is respectfully requested to reconsider the rejection of claims 1-25 in view of the following comments.

The present invention seeks to solve the problem of having to manually update graphics images with changing information which is then sent to a graphics engine for display in on-air broadcast systems, such as television.

The present invention solves this problem by providing

a) template data element, the template data element including a graphics component and a data field component suitable for receiving an information unit;

b) a processing unit coupled to said input, said processing unit being operative

for:

(i) processing the template data element and an information unit source to enter in the data field component of a selected information unit to form a

representation of a graphics page that results from a combination of the template data element and the selected information unit;

(ii) generating a set of commands based on the representation of the graphics page, the set of commands being executable by the graphics engine to create an on-air graphics page in the broadcast system as defined in independent claims 1, 11, and 18

There is significant amount of specificity required to manipulate graphics and control graphics engines in a broadcast environment. This is evidenced by the specifically tailored products that are commercially available in the area of broadcast graphics. For example, Discreet (a division of Autodesk, Inc. at [www.discreet.com](http://www.discreet.com)) offers a variety of on-air graphics products such as its Frost graphics system. Frost is specific for the broadcast environment. There is a need for methods and products to be customised for the broadcast environment.

Although Gill describes a layout method and apparatus for generating multimedia presentations which incorporates media of various types into an integrated presentation, the presentations are not intended to control a graphics engine for on-air broadcasting. Gill cannot be characterised as **providing a processing unit for generating a set of commands based on a representation of a graphics page, which is executable by a graphics engine to create an on-air graphics page in a broadcast system.**

Furthermore the presentations of Gill must be viewed by a viewer V. Specifically, the presentations of Gill must be “retrieved from [the] presentation files and transmitted to the display device.... a viewer process V is either available to the user separate from accessing of the presentation or it is embedded in the presentation or downloaded concurrently therewith.” (col 18, line 1-6). A display such as a television cannot be characterised as the viewer required by Gill.

The Applicant recognises that the subject application contemplates the creation of graphical images that are similar to the multimedia presentations disclosed by Gill. In particular, graphical images containing both static and dynamic elements are created. However, the inventive aspect of the present invention lies in its specificity to the broadcast medium. Specifically the invention describes a method and apparatus for hybrid

graphical images to be created and sent to a graphics engine and controlling such graphics engine in the context of broadcasting.

For the foregoing reasons, it is respectfully submitted that independent claims 1, 11, and 18 are not anticipated by Gill and that the Examiner's rejections of these claims are improper. Furthermore the rejection of dependent claims 2-10, 12-17 and 19-25 are also considered overcome as they depend on allowable independent claims.

In view of the above, reconsideration of the rejections is respectfully requested.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741.

Respectfully submitted,

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FOLEY & LARDNER  
Washington Harbour  
3000 K Street, N.W., Suite 500  
Washington, D.C. 20007-5143  
Telephone: (202) 672-5416  
Facsimile: (202) 672-5399

By Brian J. McNamara

Brian J. McNamara  
Attorney for Applicant  
Registration No. 32,789